

**Opening Statement for Chairman Fred Upton
Health Subcommittee Markup on
Setting Fiscal Priorities in Health Care Spending
(Remarks Prepared for Delivery)**

On March 9, the subcommittee examined several provisions of the health reform law that were funded with advanced appropriations rather than authorizations that are subject to further appropriations. In layman's terms that means the money is going to be spent without further congressional approval.

One of the provisions provides the secretary an unlimited tap on the Treasury to fund state exchange grants, the scope of which seems to be limitless. No one has taken credit for writing this provision. I don't know a single member of Congress who believes it is a good idea to give the Secretary of HHS a direct tap on the Treasury with no limit on how much could be spent and virtually unlimited discretion to determine what it means to "facilitate" enrollment in an exchange.

That seems to be a reoccurring theme with this whole law: no one wants to take credit – or accept blame – for what was actually written. I would like the authors of the bill to tell us why this authority was granted. Unfortunately, we don't know who in Senator Reid's office was responsible for this terrible drafting. No member of this committee can legitimately claim the mantle of fiscal responsibility if they support such an unprecedented spending authority. If a member does take credit, I look forward to them telling this committee why they didn't put an actual number in the statute or what they actually believe this will cost.

But the truth is, no one here wrote the sections of the law at issue today. In fact, none of the provisions we will mark up today were actually in the House-passed health care bill. In reviewing the public health division of the House health care bill, there was not a single advanced appropriation for any provision. In 2009 when House Democrats wrote their bill, they didn't see the need to circumvent the congressional appropriations process. Yet now some act as if the sky is falling because we concur with their conclusion that Congress should make these spending determinations.

We are facing a \$14 trillion debt with another \$14 trillion on the horizon under the president's budget. If we are going to get our spending under control, we must set limits, we must eliminate slush funds, and we must prioritize our spending decisions. These five bills are an important way to begin.

Mr. Chairman, I yield back the balance of my time.

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